



STATE OF IDAHO  
DEPARTMENT OF  
ENVIRONMENTAL QUALITY

1410 North Hilton • Boise, Idaho 83706-1255 • (208) 373-0502  
January 21, 2004

Dirk Kempthorne, Governor  
C. Stephen Allred, Director

Kathleen Hain, Lead  
Environmental Restoration Division  
Department of Energy  
Idaho Operations Office  
1955 Fremont Ave  
Idaho Falls, Idaho 83401-1216

Dear Ms. Hain

The Idaho Department of Environmental Quality (DEQ) is requesting that the informal dispute process in the FFA/CO be invoked in order to reach finalization of the Draft Final OU 3-13 Group 3 RD/RAWP. During this informal dispute resolution period DEQ will meet with DOE-ID as necessary to reach resolution. We request this action because all other available extensions to the finalization process appear to have been exhausted.

Rationale for this request is based on several issues. First, information was submitted in the Draft Final that was not part of the draft document. Second, the documents referenced in the Draft Final to support this new information were not provided during the Agency review period. DEQ received via e-mail on January 19, 2004, portions of these documents, and these are currently being reviewed. However, the actual sampling data used to generate the proposed 1,000,000 : 1, Cs-137 to I-129 ratio has not been provided, and therefore the technical basis of the proposed ratio has not been fully reviewed by DEQ. Third, other process information raises concern that all releases with potentially detectable concentrations of I-129 may not have been identified for possible sampling.

In order to expedite this process we have grouped our concerns regarding DOE-ID responses to our Draft Final comments:

Group 1: Responses 4, 5, 6, 9, 10, and 18. *Basic disagreement as to whether releases originating in the tank farm and not associated with the PEW or WCF condensates could have detectable concentrations of I-129, and therefore become possible candidates for sampling.*

Group 2: Responses 3, 12, 15, 16, and 20. *Further discussion/clarification necessary.*

Group 3: Responses 1, 2, 7, 8, 11, 13, 14, 17, and 19. *Responses accepted.*

We hope to start this informal dispute process on the next WAG 3 conference call, Thursday, January 22, at 3:00 p.m. MDT.

Sincerely,

Daryl F. Koch  
Acting Remediation Manager  
Waste Management and Remediation Division

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cc: Nick Ceto, EPA Region 10  
Rachael Hall, DOE-ID  
Margi English, DEQ

Dennis Faulk, EPA Region 10  
Marty Doornbos, BBWI  
COF/Source File